

DECISION MEMO
Grand Mesa, Uncompahgre and Gunnison National Forests
Ouray Ranger District
Ouray County, Colorado

Date: February 19, 2020

Authorized Officer: Chad Stewart, Forest Supervisor

Name of Project or Authorization: Jackass Flats Road Association Forest Road Special Use Permit

Location of Project (see map): Sections 18 and 19, T.46N., R.5W., N.M.P.M.

Description of Project or Authorization: The Ouray Ranger District of the Grand Mesa, Uncompahgre and Gunnison National Forests has reviewed an application submitted by Jackass Flats Road Association (the applicant), for the re-issuance of a special use permit for access to a private inholding located on the Jackass Flats Road, NFSR 871.2a. The current five-year special use permit (OUR560) expired December 31, 2018. The applicant's request is to allow domestic ingress and egress to a parcel. Access on the road surface would take place from May through November of each year. No improvements to the road beyond routine maintenance, and no snowplowing/removal would be permitted.

The Forest Service proposes a permit for a term of 20 years under authority of the Federal Land Policy and Management Act, as amended October 21, 1976. An operation and maintenance plan for routine maintenance shall be attached to the Special Use Permit.

This activity is categorically excluded under *36 CFR 220.6(e)(3) Approval, modification, or continuation of minor special uses of NFS lands that require less than five contiguous acres of land.*

Evaluation of Extraordinary Circumstances

The following table documents environmental compliance for projects categorically excluded under NEPA.

Evaluation of Extraordinary Circumstances for the Proposal (36 CFR 220.6(a))				
Resource Conditions (36 CFR 220.6(b)(1))	Resource Condition Present? ¹		Evaluation ¹ (36 CFR 220.6(b)(2))	References Required for CE categories under 36 CFR 220.6(e).
	Yes	No		
Federally listed threatened or endangered terrestrial wildlife species or their designated critical habitat, species proposed for Federal listing or proposed critical habitat or FS sensitive species. 36 CFR 220.6(b)(1)(i)	x		No measurable or significant effects to threatened or endangered species or their designated critical habitat. North American bighorn sheep are present and are a sensitive species. The proposal may adversely impact individuals but is not likely to result in a loss of viability in the Planning Area, nor cause a trend toward federal listing.	10/1/2018 Wildlife Biologist report, see project file.
Federally listed threatened or endangered aquatic species or their designated critical habitat, species proposed for Federal listing or proposed critical habitat or FS sensitive species. 36 CFR 220.6(b)(1)(i)		x	No impact to any threatened, endangered, sensitive, or management indicator species	10/1/2018 Wildlife Biologist report, see project file.

Evaluation of Extraordinary Circumstances for the Proposal (36 CFR 220.6(a))				
Resource Conditions (36 CFR 220.6(b)(1))	Resource Condition Present? ¹		Evaluation ¹ (36 CFR 220.6(b)(2))	References Required for CE categories under 36 CFR 220.6(e).
	Yes	No		
Federally listed threatened or endangered plant species or their designated critical habitat, species proposed for Federal listing or proposed critical habitat or FS sensitive species. 36 CFR 220.6(b)(1)(i)		x	No impact to any threatened, endangered, sensitive, or management indicator species.	10/1/18 Wildlife Biologist report, see project file.
Floodplains, wetlands or municipal watersheds. 36 CFR 220.6(b)(1)(ii)		x	No floodplains, wetlands or municipal watersheds will be affected by this action.	Forest Visitor Map; Field Review
Congressionally designated areas ² such as wilderness, wilderness study areas, or national recreation areas. 36 CFR 220.6(b)(1)(iii)		x	No Congressionally designated areas will be affected directly or indirectly by this action.	Forest Visitor Map
Colorado Roadless Areas ³ or potential wilderness areas. 36 CFR 220.6(b)(1)(iv), 36 CFR Part 294		x	CRAs/IRAs will not be affected directly or indirectly by this action.	Roadless map in project file-negative findings.
Research natural areas ² . 36 CFR 220.6(b)(1)(v)		x	RNAs will not be affected by this action.	GMUG Forest Plan as Amended 1991, Pg. II-27
American Indians and Alaska Native religious or cultural sites. 36 CFR 220.6(b)(1)(vi)		x	No traditional cultural properties, religious, or cultural sites have been identified that would be affected by implementation of this action.	The District Ranger has determined that tribal consultation is not necessary for this project.
Archaeological sites, or historic properties or areas. 36 CFR 220.6(b)(1)(vii)		x	No potential to affect cultural resources, no further work, no SHPO consultation needed.	3/26/18 Archeologist report in project file.
¹ The mere presence of one or more of these resource conditions does not preclude the use of a categorical exclusion. It is the existence of a cause effect relationship between a proposed action and the potential effect on these resource conditions, and if such a relationship exists, the degree of the potential effect of a proposed action these resource conditions that determines whether extraordinary circumstances exist. ² If present, verify authorities. Additional requirements may exist. ³ Roadless consultation with RO is required except for limited circumstances. Submit completed forms to NEPA coordinator.				

Conditions of Approval

Travel on the road shall not be allowed between November 16-April 30 each year due to bighorn sheep and other big game animals on winter range.

Scoping Efforts

A scoping letter was mailed to interested parties on August 16, 2018. No comments were received. A scoping document and short project description were posted to the Schedule of Proposed Actions concurrently. The Ouray District Wildlife Biologist and Archeologist reviewed the proposed action.

Findings Required by Other Laws

The project is located within Forest Plan Management Area 5A, Big game winter range in non-forest areas, optimize habitat capability for big game on nonforested winter range. (GMUG Forest Plan As Amended, 1991, pg III-124). The road is compatible with the General Direction and Standards and Guidelines for the management area's transportation system management, described in the Forest Plan pg III-128-130.

Implementation

This decision may be implemented immediately following issuance of the Special Use Permit by the authorized officer.

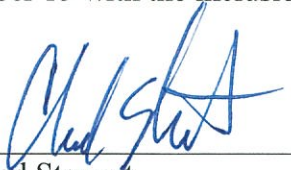
For Additional Information Contact: Brittany Duffy, Lands and Minerals Staff, Ouray District Ranger, (970) 240-5405.

Decision and Finding

I have considered the above list of resource conditions described in 36 CFR 220.6(b) and have determined there are no extraordinary circumstances related to the proposed action that warrant further analysis or documentation in either an environmental assessment or environmental impact statement.

I am approving the issuance of a Special Use Permit with a term of 20 years for motorized use from May 1- through November 15 with the inclusion of Conditions of Approval above.

Signature _____


Chad Stewart
Forest Supervisor
Grand Mesa, Uncompahgre and
Gunnison National Forests

Date _____

2/19/20

